



# राजपत्र, हिमाचल प्रदेश

## (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, २९ दिसम्बर, १९७३/८ पौष, १८९५

### GOVERNMENT OF HIMACHAL PRADESH

#### EXCISE AND TAXATION DEPARTMENT

#### NOTIFICATION

*Simla-2, the 20th December, 1973*

No. 19-14/72-E&T (Sectt).—In exercise of the powers vested in him under proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission vide their letter No. 1-29-73-PSC, dated the 16th July, 1973, is pleased to {make the following rules in respect of the post of the Deputy Excise and Taxation Commissioner, Himachal Pradesh, in regard to the following matters, namely:—

- (i) the method of recruitment and promotion to the post/service of the Deputy Excise and Taxation Commissioner, Himachal Pradesh;

- (ii) the qualifications necessary for appointment to such service and post;
- (iii) the conditions of service of persons appointed to such service and post for the purpose of probation, confirmation, seniority and promotion etc.

1. *Short title and commencement.*—(i) These rules may be called the Himachal Pradesh Deputy Excise and Taxation Commissioner (Class I Gazetted) Service (Recruitment, Promotion and Certain Conditions of Service) Rules, 1973.

(ii) These shall come into force from the date of the publication of these rules.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context,—

- (a) “Commission” means the Himachal Pradesh Public Service Commission;
- (b) “Government” means the Government of Himachal Pradesh; and
- (c) “service” means the Himachal Pradesh Deputy Excise and Taxation Commissioner (Class-I Gazetted) in the Excise and Taxation Department.

3. *Composition of service.*—(i) The service shall comprise of the post shown in Annexure ‘A’ to these rules.

(ii) Nothing in these rules shall affect the right of Government to make addition to, or reduction in, the cadre of the service whether permanently or temporarily.

4. *Appointing authority.*—The appointment to the post in the service shall be made by the Government in consultation with the Commission.

5. *Pay of members of service.*—Member of the service shall be entitled to such scales of pay as may be authorised by Government from time to time. The pay scales at present in force is given in column (4) of Annexure ‘A’ to these rules.

6. *Method of recruitment.*—The method of filling up the vacancies in the service shall be as laid down in column (10) and (11) of the Annexure ‘A’ to these rules.

7. *Probation.*—(i) Members of the service shall remain on probation for the period as specified in column (9) of Annexure ‘A’ to these rules.

(ii) If the work and conduct of any member of the service during the period of probation is, in the opinion of Government, not satisfactory, Government may dispense with his services, if recruited by direct appointment or revert him to his former post if recruited otherwise.

(iii) On completion of the period of probation of any member, the Government may confirm such member in his appointment or, if his work or conduct has, in the opinion of Government, not be satisfactory, dispense

with his services if recruited otherwise, or may extend his period of probation not exceeding one year as may be ordered by the competent authority in special circumstances and for reasons to be reduced in writing and thereafter pass orders as it could have passed on the expiry of the first period of probation:

Provided that after the expiry of the successful completion of probation no one would be entitled to confirmation unless he is appointed to a post substantively vacant and is confirmed by the Government.

**8. Seniority.**—(i) The relative seniority of persons promoted to the grade shall be determined in the order of their selection for such promotion:

Provided that where persons promoted initially on a temporary basis are confirmed subsequently in an order different than the order of merit indicated at the time of their promotion seniority shall follow the order of confirmation and not the original order of merit.

(ii) Where promotion is made on the basis of selection by a Departmental Promotion Committee the seniority of such promotee shall be in the order in which candidate is recommended for such promotion by the Committee.

(iii) Where, however, a person is superseded by a junior, such person shall not if he is subsequently found suitable and promoted take seniority in the higher grade over the junior person who had superseded him.

**9. Condition of Service.**—In respect of leave, pension and other cognate matters not expressly provided for in these rules the member of the service shall be governed by such other rules and regulations and orders as are framed or issued by the Government of Himachal Pradesh from time to time.

**10. Penaly, discipline and appeals.**—In matters relating to discipline, punishment and appeals, members of the service shall be governed by such rules as may be adopted or made by the Himachal Pradesh Government in respect of other categories of its employees.

**11. Interpretation.**—If any question arises relating to the interpretation of these rules, it shall be referred to the Government whose decision thereon shall be final.

**12. Power to relax.**—Where the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, it may by order dispense with or relax the requirements of that rules to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.

#### ANNEXURE 'A'

*Recruitment and Promotion Rules for the Post/Service of Deputy Excise and Taxation Commissioner (Class I Gazetted) in the Department of Excise and Taxation, Himachal Pradesh*

1. Name of post

.. Deputy Excise and Taxation Commissioner, Himachal Pradesh.

2. No. of posts	One
3. Classification	Class I (Gazetted)
4. Scale of pay	Rs. 900-50-1250
5. Whether selection post or non-selection post.	Selection
6. Age for direct recruits	Not applicable
7. Educational and other qualifications required for direct recruits.	Not applicable
8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.	Not applicable
9. Period of probation, if any	2 years subject to such further extension not exceeding one year as may be ordered by the competent authority and for reasons in special circumstances to be reduced in writing.
10. Method of recruitment—whether by direct recruitment or by promotion or by deputation/transfer and the percentage of the vacancies to be filled by various methods.	100% by promotion
11. In case of recruitment by promotion/deputation/transfer grades from which promotion/deputation/transfer to be made.	By promotion from amongst the Excise and Taxation Officer with 5 years regular service in the grade.
12. Constitution of the Departmental Promotion Committee.	D.P.C. to be presided over by the Chairman of the H.P.P.S.C. or a member thereof to be nominated by him.
13. Circumstances in which H.P. P.S.C. is to be consulted in making recruitment.	As required under the law.

*Notes.*—1. Provision of columns 10 and 11 are to be revised by the Government in consultation with the Himachal Pradesh Public Service Commission as and when the number of posts under column 2 are increased or decreased.

2. When the Government is of the opinion that it is necessary or expedient to do so, it may by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission relax any of the provisions of these rules with respect to any class or category of service of person.

P. K. MATTOO,  
Secretary.

## REVENUE DEPARTMENT

### NOTIFICATION

*Simla-2, the 21st December, 1973*

**No. 4-37/73-Rev. Cell.**—Whereas it appears to the Governor, Himachal Pradesh that the land is likely to be acquired to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for the land to be acquired for Reservoir Area for Beas Dam at Pong in Tika Saneht, H.B. No. 58, Tehsil Dehra, District Kangra, specification given below, it is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all others acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may within thirty days of the publication of this notification file an objection in writing before the Land Acquisition Collector-II, Beas Project, Talwara Township.

### SPECIFICATION

*District:* KANGRA

*Tehsil:* DEHRA

Village 1	Khasra No. 2	H.B. No. 3	Area K. M. 4 5	
			4	5
SANEHT	25 P	58	2	6
	237 P		0	18
	238 P		0	11
	394 P		0	16
	404 P		0	6
	407		2	1
	3835/411 P		0	3
	413 P		0	8
	416 P		1	13
	417 P		0	3
	522 P		1	6
	541/1 P		8	8
	542 P		1	2
	543		0	5
	544 P		1	7
	549 P		1	17
	550 P		2	5
	2622 P		3	12
	2623 P		4	3
	2624 P		10	15
	2625 P		4	8

1	2	3	4	5
	2626 P		3	12
	2627 P		5	1
	2628 P		11	2
	2629 P		10	4
	2633 P		11	4
	2634 P		10	6
	2640 P		8	8
	2641 P		6	0
	2644 P		1	10
	2645 P		2	16
	2646 P		5	8
	2647 P		2	18
	2650 P		3	12
	2651 P		14	0
	2660 P		1	16
	2661 P		18	15
	2662 P		48	13
	2663 P		1	19
	2664		18	6
	2665 P		3	6
	2667 P		0	10
	2668 P		0	8
	3206 P		1	4
	3208		0	12
	3209		0	2
	3210 P		7	13
	3233 P		0	9
	Total ..		248	7 23.56 Acres

By order,  
L. HMINGLIANA TOCHHAWNG,  
Secretary.